

Notice of Allowability

Application No.

10/679,712

Examiner

Jayesh A. Patel

Applicant(s)

CHEN ET AL.

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 06/20/07.
2. ☒ The allowed claim(s) is/are 1-9.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Reasons for allowance

Claim 1-9 are allowed over the closest prior arts Meron (US 6950690) and Caspi (US 6909794).

1. Regarding Claim 1, Meron and Caspi discloses limitations a-d. The combination of Meron and Caspi is silent and however do not disclose, e) retrieving a global index and an anatomical index and computing local travel distance based on said global index and said anatomical index; and f) retrieving corresponding images in a neighborhood of said computed local travel distance from another pass based on prior selection of the possible image features. Therefore Claim 1 is allowed.

2. Claims 2-5 depend on independent Claim 1, therefore they are allowed.

3. Regarding claim 6, combination of the closest prior arts Meron and Caspi does not disclose a digital image processing method for aligning in vivo images from multiple passes of a gastrointestinal tract to aid in diagnosing gastrointestinal disease, comprising the steps of: e) retrieving corresponding images from another pass based on prior selection of the possible image, features: wherein selection of the possible indexed features includes the step of selecting an in vivo image using a global index; wherein retrieving corresponding images

from another pass based on prior selection of the in vivo image using the global index further includes the steps of: d2) computing a local travel distance using a global travel distance and the anatomical identity. Therefore it is allowable over prior arts.

4. Regarding claim 7, combination of the closest prior arts Meron and Caspi does not disclose a digital image processing method for aligning in vivo images from multiple passes of a gastrointestinal tract to aid in diagnosing gastrointestinal, disease, comprising the steps of: e) retrieving corresponding images from another pass based on a prior selection of the possible image features; wherein selection of the possible indexed features includes the step of selecting an in vivo image by browsing a plurality of images; wherein retrieving corresponding images from another pass based on prior selection of the possible indexed features further includes the steps of: d3) computing a local travel distance using a global travel distance and the anatomical identity; d4) locating images corresponding to the anatomical identity. Therefore it is allowable over prior arts of record.

5. Regarding claim 8, combination of the closest prior arts Meron and Caspi does not disclose a digital image processing method for aligning in vivo images from multiple passes of a gastrointestinal tract to aid in diagnosing gastrointestinal disease, comprising the steps of; e) retrieving corresponding images from

another pass based on prior selection of the possible image features; wherein selection of the possible indexed features includes the step of Selecting an in vivo image using an anatomical identity and a local index; wherein retrieving corresponding image from another pass based on prior selection of the possible indexed features further includes the steps of: d1) computing a local travel distance using a global travel distance and the anatomical identity. Therefore it is allowable over prior arts.

6. Regarding claim 9, combination of the closest prior arts Meron and Caspi disclose an in vivo imaging alignment and processing system. Meron and Caspi however does not disclose an alignment processor for selecting and retrieving possible indexed features of a plurality of in vivo images from multiple image capturing passes based on a computed local travel distance based on a global index and an anatomical index, and images in a neighborhood of said computed local travel distance. Therefore it is allowable over prior arts.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jayesh A. Patel whose telephone number is 571-270-1227. The examiner can normally be reached on M-F 7.00am to 4.30 pm (5-4-9). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jingge Wu can be reached on 571-272-7429. The fax

Art Unit: 2624

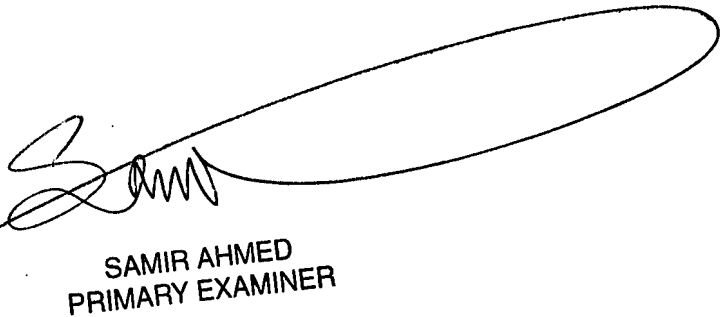
phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jayesh Patel

09/18/07

JP

A large, stylized handwritten signature in black ink, appearing to read 'Samir', with a long horizontal line extending to the right.

SAMIR AHMED
PRIMARY EXAMINER